

Attorney Docket No.: **DEX-0115**
Inventors: **Salceda et al.**
Serial No.: **09/717,883**
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Claims 3-7 have also been rejected under 35 U.S.C. § 112, first paragraph, for lack of written description.

In both rejections, the Examiner has objected to language regarding stringent hybridization.

Accordingly, in earnest effort to facilitate the prosecution of this case, Applicant have amended the claims to remove this phrase. No new matter is added by this amendment. Reconsideration and withdrawal of these rejections is respectfully requested.

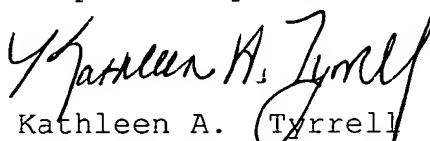
Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Advisory Action of record. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

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Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 3-7 have been amended as follows:

3. (thrice amended) A method for diagnosing the presence of cancer in a patient comprising:

(a) determining levels of Ovr107 in cells, tissues or bodily fluids in a patient, wherein Ovr107 comprises SEQ ID NO:1 ~~or a polynucleotide which hybridizes under stringent conditions to the antisense sequence of SEQ ID NO:1~~; and

(b) comparing the determined levels of Ovr107 with levels of Ovr107 in cells, tissues or bodily fluids from a normal human control, wherein an increase in determined levels of Ovr107 in said patient versus normal human control is associated with the presence of cancer.

4. (twice amended) A method of diagnosing metastases of cancer in a patient comprising:

(a) identifying a patient having cancer that is not known to have metastasized;

(b) determining Ovr107 levels in a sample of cells, tissues, or bodily fluid from said patient, wherein Ovr107 comprises SEQ ID NO:1 ~~or a polynucleotide which hybridizes under stringent conditions to the antisense sequence of SEQ ID NO:1~~; and

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(c) comparing the determined Ovr107 levels with levels of Ovr107 in cells, tissue, or bodily fluid of a normal human control, wherein an increase in determined Ovr107 levels in the patient versus the normal human control is associated with a cancer which has metastasized.

5. (twice amended) A method of staging cancer in a patient having cancer comprising:

(a) identifying a patient having cancer;

(b) determining Ovr107 levels in a sample of cells, tissue, or bodily fluid from said patient, wherein Ovr107 comprises SEQ ID NO:1 ~~or a polynucleotide which hybridizes under stringent conditions to the antisense sequence of SEQ ID NO:1; and~~

(c) comparing determined Ovr107 levels with levels of Ovr107 in cells, tissues, or bodily fluid of a normal human control, wherein an increase in determined Ovr107 levels in said patient versus the normal human control is associated with a cancer which is progressing and a decrease in the determined Ovr107 levels is associated with a cancer which is regressing or in remission.

6. (twice amended) A method of monitoring cancer in a patient for the onset of metastasis comprising:

(a) identifying a patient having cancer that is not known to have metastasized;

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(b) periodically determining levels of Ovr107 in samples of cells, tissues, or bodily fluid from said patient, wherein Ovr107 comprises SEQ ID NO:1 ~~or a polynucleotide which hybridizes under stringent conditions to the antisense sequence of SEQ ID NO:1;~~
and

(c) comparing the periodically determined Ovr107 levels with levels of Ovr107 in cells, tissues, or bodily fluid of a normal human control, wherein an increase in any one of the periodically determined Ovr107 levels in the patient versus the normal human control is associated with a cancer which has metastasized.

7. (twice amended) A method of monitoring a change in stage of cancer in a patient comprising:

(a) identifying a patient having cancer;

(b) periodically determining levels of Ovr107 in cells, tissues, or bodily fluid from said patient, wherein Ovr107 comprises SEQ ID NO:1 ~~or a polynucleotide which hybridizes under stringent conditions to the antisense sequence of SEQ ID NO:1;~~
and

(c) comparing the periodically determined Ovr107 levels with levels of Ovr107 in cells, tissues, or bodily fluid of a normal human control, wherein an increase in any one of the periodically determined Ovr107 levels in the patient versus the normal human

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control is associated with a cancer which is progressing in stage
and a decrease is associated with a cancer which is regressing in
stage or in remission.